



The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

January 18, 2005

Mr. Sal Vespa
Green Mountain Environmental Services, Inc.
P.O. Box 847
Richmond, Vermont 05477

CERTIFIED MAIL (7099 3400 0018 1290 2964)
RETURN RECEIPT REQUESTED

NOTICE OF PAST VIOLATION

RE: Improper Asbestos Removal at 77 East Wheelock St., Hanover, NH

Dear Mr. Vespa:

On August 19, 2004 the New Hampshire Department of Environmental Services, Air Resources Division ("DES"), responded to a complaint that proper work practices were not being followed during the removal of asbestos containing material ("ACM") from a dwelling undergoing renovations located at 77 East Wheelock Street, Hanover, NH (the "Property"). Workers from Green Mountain Environmental Services, Inc. ("Green Mountain") a licensed asbestos abatement firm from Richmond, VT, had reportedly removed ACM without utilizing proper containment, failed to control access to the work area and failed to post warning signs during the removal of the ACM. Green Mountain had been subcontracted by Servpro of Lebanon ("Servpro") to remove asbestos-containing pipe insulation from the basement, kitchen and living room, as well as residual mastic left on the basement floor after Servpro removed the floor tile.

On August 24, 2004, the DES inspector returned to the Property to determine conformance with provisions of RSA 141-E and the NH Admin. Rules Env-A 1800, *Asbestos Management and Control*, regulating asbestos abatement activities. During the inspection at the Property, the DES inspector observed Green Mountain employees removing residual mastic from the basement floor and fine cleaning the upper floors. As a result of the inspections and of the information gathered, DES has determined that violations occurred.

The purpose of this letter is to notify you of the violations discovered during the investigation and from information received by DES. The specific violations are as follows:

- Env-A 1805, *Work Practice Requirements* contains specific provisions pertaining to the proper handling, removal, and disposal of ACM. In addition, Env-A 1805 requires that the operator of a facility at which major asbestos abatement activity will occur take steps to prevent exposure to asbestos fibers during removal, including isolating the work area with plastic sheeting, posting warning signs at all entrances to the work area, and covering or removing all objects within the work area. Green Mountain also failed to have an air clearance test performed in all work areas upon completion of the abatement.

No further action related to the listed violations is required. However, DES wants to make it clear that there are requirements for proper asbestos abatement. DES believes that Green Mountain can avoid the improper disturbance of ACM and the health hazards and liability that are associated with exposure to asbestos by complying with Env-A 1800, *Asbestos Management and Control*.

If you believe that DES has cited these violations in error or have any questions or additional information regarding this matter, please contact Mr. Steve Cullinane, Asbestos Program Manager, Air Resources Division, Compliance Bureau, at (603) 271-1373.

Sincerely,



Pamela G. Monroe
Compliance Bureau Administrator
Air Resources Division

PGM/jwr

Enc. Env-A 1800
List of asbestos abatement contractors

cc: W. Toland, EPA Region 1
G. Hamel, Legal Unit Administrator
B. Walsh, Chairman, Hanover Board of Selectmen
M. Doughty, Servpro of Lebanon
Ms. E. Ermenc Owner's Rep.